

A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A-65680-4/RFT/RMS/DAV

Anticipated Classification of this Application:

Class: Subclass:

Prior Application

Examiner:

Art Unit:

**Box PATENT APPLICATION FEE**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a request for filing an

- Original  
 Continuation  
 Divisional  
 Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of

Thomas Haaf, et al.

(Names of ALL Applicants)

for

METHODS AND COMPOSITIONS UTILIZING RAD51

(Title of Invention)

This  continuation  divisional  continuation-in-part

claims priority to pending application Serial No. 09/007,020 filed on January 14, 1998, Serial No. 60/035,834 filed on January 30, 1997 and application Serial No. 60/045,668 filed on May 6, 1997.

1. Enclosed is a

- (a)  new application.  
(b)  Enclosed is a continuation-in-part application.  
(c)  Enclosed is a copy of the prior application.

"EXPRESS MAIL" MAILING LABEL  
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DATE OF DEPOSIT October 27, 1998

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER  
37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS  
ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS,  
WASHINGTON, DC 20231.

TYPED NAME Geody Domingo

SIGNED

JC525 U.S. PTO  
09/18/027  
10/27/98

2. (a)  Enclosed is a new Declaration.  
(b)  Enclosed is a copy of the prior Declaration as originally filed.

3. (a)  Enclosed is a Small Entity Affidavit.  
(b)  A Small Entity Affidavit is of record in the prior application.

4.  The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1) NO. FILED	(Col. 2) NO. EXTRA	SMALL ENTITY RATE	OTHER THAN SMALL ENTITY RATE FEE
<b>BASIC FEE</b>				<b>\$395</b>
TOTAL CLAIMS	<u>6</u>	- 20 = 0	x 11 =	\$ x 22 = \$
INDEP CLAIMS	<u>2</u>	- 3 = 0	x 41 =	\$ x 82 = \$
MULTIPLE DEPENDENT CLAIM PRESENTED			+135 =	\$ +270 = \$
If the difference in Col 1 is less than zero, enter "0" in Col. 2			TOTAL	\$395 TOTAL \$

5.  The Commissioner is authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to our Deposit Account.
6.  A check in the amount of \$395.00 is enclosed.
7.  Cancel in this application original claims 1-39, 46 of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
8.  Amend the specification by inserting before the first line the sentence:

--This is a  continuation  divisional  continuation-in-part

of application Serial No. 09/007,020 filed January 14, 1998.--

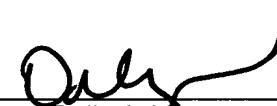
9. (a)  Informal drawings are enclosed. **8 SHEETS**  
(b)  Formal drawings are enclosed.
10. (a)  Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119.  
(b)  The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.
11.  The prior application is assigned of record to Yale University
12.  The power of attorney in the prior application is to:  
FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
4 Embarcadero Center, Suite 3400  
San Francisco, CA 94111

- (a)  The power appears in the original papers in the prior application.  
(b)  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.  
(c)  A new power has been executed and is enclosed.  
  
(d)  Address all future communications to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111-4187  
Telephone: (415) 781-1989  
Attn: Richard F. Trecartin

13.  A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)  
  
14.  I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/007,020 as originally filed on January 14, 1998.

Date: October 27, 1998

Signature:   
Dolly A. Vance  
Reg. No. 39,054

Address of Signer:

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
4 Embarcadero Center, Suite 3400  
San Francisco, CA 94111

\_\_\_\_\_

Attorney or agent of record

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Filed under Section 1.34(a)